

UNITED STATES DISTRICT COURT

Southern

District of

New York

ALAN NAHIGIAN

SUMMONS IN A CIVIL ACTION

v.

MICHAEL EVAN SACHS,
and
SPRINGER SCIENCE+BUSINESS
MEDIA, INC.

CASE NUMBER:

07 CIV 7093

JUDGE SWAIN

TO: (Name and address of Defendant)

MICHAEL EVAN SACHS
128 CENTRAL PARK SOUTH
NEW YORK, NY 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

JOEL A. SIEGEL, ESQ.
70 LAFAYETTE STREET
7TH FLOOR
NEW YORK, NY 10013-4000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

AUG 09 2007

CLERK

DATE

(By) DEPUTY CLERK

Marcus S. Sintero

ALAN NAHIGIAN

Index #: 07 CIV 7093 (SWAIN)

Plaintiff(s)

- against -

Date Filed:

MICHAEL EVAN SACHS AND SPRINGER SCIENCE+BUSINESS MEDIA, INC.

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on August 24, 2007 at 02:17 PM at

128 CENTRAL PARK SOUTH
 NEW YORK, NY 10019

deponent served the within true copy/copies of the SUMMONS & COMPLAINT, CIVIL COVER SHEET, JUDGE'S RULES, 3RD AMENDED INSTRUCTIONS FOR FILING ECF CASE OR APPEAL on MICHAEL EVAN SACHS M.D., P.C., the defendant/respondent therein named,

SUITABLE AGE

by delivering thereat a true copy/copies of each to MS. ROSA DIAMMARCO a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. She identified herself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

| Sex | Skin Color | Hair Color | Age (Approx.) | Height (Approx.) | Weight (Approx.) |
|--------|------------|------------|---------------|------------------|------------------|
| FEMALE | WHITE | BROWN | 46 | 5'5 | 140 |

MAILING

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

128 CENTRAL PARK SOUTH
 NEW YORK, NY 10019


and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on August 24, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

MILITARY SERVICE

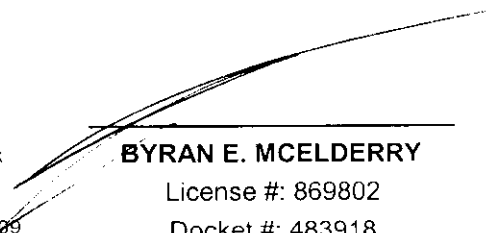
Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: August 24, 2007

Linda Forman
 Notary Public, State of New York
 No. 01FO5031305
 Qualified in New York County
 Commission Expires August 1, 2010


 Robin M. Forman
 Notary Public, State of New York
 No. 01FO6125415
 Qualified in New York County
 Commission Expires April 18, 2009

Larry Yee
 Notary Public, State of New York
 No. 01YE5015682
 Qualified in New York County
 Commission Expires July 26, 2009


BYRAN E. MCELDERRY
 License #: 869802
 Docket #: 483918